

16638 U.S. PTO  
012804

MAIL STOP APPLICATION  
Attorney Docket No.: 24544Y

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
LEGRO et al.

Serial No. Not Yet Assigned

Filed: January 28, 2004

Title: **PROTECTION OF GERMINATING SEED AND PILLS CONTAINING PESTICIDES**

(This is a Continuation Application of U.S. Patent Application 09/806,949 filed April 3, 2001 which is a 371 of PCT/NLOO/00523 filed July 24, 2000.)

TRANSMITTAL LETTER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

17548 U.S. PTO  
10/765475  
012804

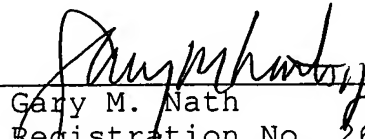
Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- (1) Transmittal Letter;
- (2) Filing Form For Continuation U.S. Patent Application;
- (3) Continuation application including:
  - 12 Page Application Consisting of:
    - 7 Pages of Textual Specification,
    - 1 Pages of 6 Claims,
    - 1 page containing the Abstract of the Disclosure,
    - 3 sheets of drawings;
- (4) **Preliminary Amendment with Attachments A & B to be examined;**
- (5) Copy of executed Declaration from parent application
- (6) Copy of Assignment with Notice of Recordation of Assignment from parent application;
- (7) Check No. 20271 \$770.00 for filing fee;
- (8) Postcard for early notification of serial number.

Respectfully submitted,  
**NATH & ASSOCIATES PLLC**

By:

  
Gary M. Nath  
Registration No. 26,965  
Jerald L. Meyer  
Registration No. 41,194  
Customer No. 20529

Date: January 28, 2004  
NATH & ASSOCIATES PLLC  
1030 15<sup>th</sup> Street, NW - 6<sup>th</sup> Floor  
Washington, D.C. 20005  
GMN/JLM/dd:CONTappl.trans



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MAIL STOP PATENT APPLICATION  
Atty. Docket No.: 24544Y

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

LEGRO et al.

Serial No.: Not yet assigned

Filing Date: January 28, 2004

Title: **PROTECTION OF GERMINATING SEED AND PILLS CONTAINING PESTICIDES**

(This is a Continuation Application of U.S. Patent Application 09/806,949 filed April 3, 2001 which is a 371 of PCT/NL00/00523 filed July 24, 2000.)

**FILING FORM**

**FOR CONTINUATION U.S. PATENT APPLICATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

1. This is a Request for filing a
- ☒ Continuation Application under:
    - ☒ 37 CFR § 1.53(b)(1)
  - ☐ Divisional Application under:
    - ☐ 37 CFR § 1.53(b)(1)
  - ☐ Continuation-In-Part (CIP) application
    - ☐ 37 CFR § 1.53(b)(2)

of **prior** ("parent") application:  
Serial No. 09/806,949  
Filed: April 3, 2001  
Entitled: **PROTECTION OF GERMINATING SEED AND PILLS CONTAINING PESTICIDES**

Which is a continuation of **prior PCT** ("parent") application:  
Serial No. PCT/NL00/00523  
Filed: July 24, 2000  
Entitled: **PROTECTION OF GERMINATING SEED AND PILLS CONTAINING PESTICIDES**

2. X \*Enclosed for application under 37 CFR §§ 1.53(b) are:  
9 pages of text (specification, claims, abstract)  
6 claims  
3 sheets of drawings

3. The **present** application names the following inventor(s):

1) Robert Jean LEGRO, and 2) Sijbert HONKOOOP

       (37 CFR § 1.53--"CIP") The above-identified application (in which no payment of the Issue Fee, abandonment of or termination of proceedings has occurred) is hereby expressly abandoned as of the filing date of this new application.

The **Total Filing Fee** is calculated as follows:

       Enter the Amendment filed in the prior patent application on                      prior to calculating the filing fee.

X Enter the enclosed Preliminary Amendment prior to calculating the filing fee.

(Col 1)			(Col 2)		SMALL ENTITY		OR	NON-SMALL ENTITY	
	NUMBER OF CLAIMS FILED		NUMBER OF EXTRA CLAIMS		RATE	FEE		RATE	FEE
TOTAL	6	minus 20	0		x9=	0		x18=	0
INDEP	2	minus 3	2		x43=	0		x84=	0
BASE FILING FEE:					+385=	0		+740=	770
xx Multiple Dependent Claims					+140=	0		+280=	0
					TOTAL	0	OR	TOTAL	770

       Applicant(s) is/are a "small entity". A Verified Statement Claiming Small Entity Status:  
       was filed in the parent application, and small entity status is still proper and desired (Rules 60, 62 only);  
       is filed herewith;  
       will be filed at a later date.

X A check including the above-indicated filing fee is enclosed.

X A Petition for Extension of Time (to keep the parent case pending) is filed concurrently in the parent case.

☐ Assignment document(s) is/are submitted herewith, with a check including the recordation fee of \$40.00 per Assignment.

☐ No check is enclosed. A Declaration and Power of Attorney will be submitted at a later date pursuant to 37 CFR §§ 1.41, 1.53, together with a check for the "Total Filing Fee" calculated above and a surcharge under 37 CFR § 1.16(e).

☒ The prior application is assigned of record to Incotec International B.V. OF 1601 BL Enkhuizen, The Netherlands, the Assignment being recorded on April 3, 2001, on Reel 011750 Frame(s) 0013.

☐ An original executed Declaration is enclosed.

☒ Amend the specification by inserting before the first line the sentence:

-- This is a Continuation Application of U.S. Patent Application 09/806,949 filed April 3, 2001 which is a 371 of PCT/NL00/00523 filed July 24, 2000, and claims priority to The Netherlands application no. 1012918 filed August 26, 1999, the entire contents of which are hereby incorporated by reference in its entirety.--

☒ Foreign priority under 35 U.S.C. § 119 of application(s) 1012918, filed August 26, 1999, is hereby claimed. The certified priority paper(s):

☒ was/were filed in the parent case;  
☐ is/are enclosed herewith;  
☐ will be submitted at a later date.

☒ The power of attorney in the prior application is to Gary M. Nath, Registration No. 26,965, Customer No. 20529 et al.

☒ The power appears in the original papers in the prior application.

X Address all future communications to:

Gary M. Nath  
**NATH & ASSOCIATES PLLC**  
1030 15<sup>th</sup> Street, N.W.- 6<sup>th</sup> Floor  
Washington, D.C. 20005

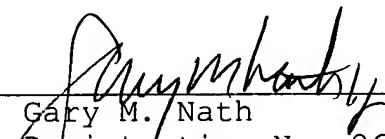
— If extensions of time under 37 CFR § 1.136 other than those provided herewith are required to prevent abandonment of the parent application, then such extensions of time are hereby petitioned to allow copendency of the parent and the present continuing application. The Commissioner is hereby authorized to charge fee deficiency under 37 CFR § 1.17, or credit any overpayment, to Deposit Account No. 14-0112.

X The Commissioner is hereby authorized to charge any fee deficiency under 37 CFR §§ 1.16 and 1.17 which may be required, or credit any overpayment, to Deposit Account No. 14-0112.

Respectfully submitted,

**NATH & ASSOCIATES PLLC**

Date: January 28, 2004

  
\_\_\_\_\_  
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Registration No. 26,965  
Jerald L. Meyer  
Registration No. 41,194  
Customer No. 20529

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